

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RAYMOND CHARLES DOMANSKI,
et al.,

Plaintiffs,

vs.

ALPHATEC SPINE, INC., *et al.*,

Defendants.

Case No. 2:12-cv-01505-LRH-CWH

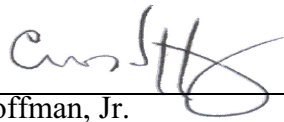
ORDER

This matter is before the Court on the parties' Stipulation and Order to Continue Deadline to Submit Proposed Discovery Plan and Scheduling Order (#11), filed September 17, 2012. By way of this stipulation, the parties request an extension of the time to submit a proposed discovery plan and scheduling order under LR 26-1 until thirty (30) days after the Court enters a written decision on Plaintiff's pending motion to remand (#10). Although styled as a request for an extension to submit the proposed discovery plan and scheduling order, the parties actually request a stay of discovery pending resolution of the identified motion. Parties seeking a stay of discovery carry "the heavy burden of making a strong showing why discovery should be denied." *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011) (citing *Turner Broadcasting System, Inc. v. Tracinda Corp.*, 175 F.R.D. 554, 556 (D. Nev. 1997)). The Court finds that the parties have not met that heavy burden at this time. Indeed, the parties failed to bring a motion to stay discovery and did not provide any facts and arguments regarding why a stay of discovery is warranted in light of the pending motion to remand.

Based on the foregoing and good cause appearing therefore,

IT IS HEREBY ORDERED that parties' Stipulation and Order to Continue Deadline to Submit Proposed Discovery Plan and Scheduling Order (#11) is **denied**.

1 DATED this 18th day of September, 2012.

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5 C.W. Hoffman, Jr.
6 United States Magistrate Judge
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